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Return or restitution of cultural property to the countries of origin

Return or restitution of cultural property to the countries of origin

Report of the Secretary-General*

1. The question of restitution of works of art to countries that are victims of appropriation was first considered by the General Assembly at its twenty-seventh session, in 1972 (see resolution 3026 A (XXVII)). The Assembly subsequently considered the question at its twenty-eighth, thirtieth to thirty-sixth, thirty-eighth, fortieth, forty-second, forty-fourth, forty-sixth, forty-eighth, fiftieth, fifty-second and fifty-fourth sessions (resolutions 3148 (XXVIII), 3187 (XXVIII), 3391 (XXX), 31/40, 32/18, 33/50, 34/64, 35/127, 35/128, 36/64, 38/34, 40/19, 42/7, 44/18, 46/10, 48/15, 50/56, 52/24 and 54/190). By its resolution 54/190 of 17 December 1999, the Assembly, inter alia, requested the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), to submit to it, at its fifty-sixth session, a report on the implementation of the resolution.

2. The attached report, transmitted to the Secretary-General by the Director-General of UNESCO, is submitted pursuant to the above request.

* The footnote requested by the General Assembly in resolution 54/248 was not included in the submission.

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Report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the action taken by the Organization on the return and restitution of cultural property to the countries of origin

1. Since the submission of the previous report by the Director-General (A/54/436, annex), the United Nations Educational, Scientific and Cultural Organization (UNESCO) has continued to promote the return or restitution of cultural property to the countries of origin. It has, in particular, endeavoured to implement the recommendations adopted by the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation at its tenth session, held in Paris from 25 to 28 January 1999. Those recommendations were based on the progress made since the first session of the Committee, held in 1980. The present report describes the measures taken to follow up the recommendations adopted by the Committee at its tenth session, as well as the work of the Committee at its eleventh session, held at Phnom Penh from 6 to 9 March 2001.

I. Introduction

2. At the invitation of Cambodia, the eleventh session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation was held at Phnom Penh. Fourteen of the 22 members of the Committee attended the meeting. Fifteen member States which are not members of the Committee also participated, as did two States which are not members of the Organization, four intergovernmental organizations, one non-governmental organization, and the chairman of the working group of legal experts on the settlement of disputes related to cultural property displaced during the Second World War. Numerous observers from Cambodia were present during the four days of the meeting.

II. Opening of the session

3. The Committee was welcomed by the Prime Minister of Cambodia, Hun Sen, who stressed the importance of the cultural heritage of Cambodia and the efforts being made to counter the scourge of illicit trafficking. He was followed by the Chairman of the Cambodia National Commission for UNESCO, Sok An, and the Director of the UNESCO Office in Cambodia, Etienne Clement. The representative of the Director-General of UNESCO, Lyndel Prott, summarized the activities of the Intergovernmental Committee described in the report of the secretariat (CLT-2001/CONF.202/2 and CLT-2001/CONF.202/2 Add.). She noted the appeal made by the Cambodian Government to the Director-General of UNESCO to use his influence to prevent the destruction of the images of Buddha in Afghanistan.

III. Election of the Bureau

4. Solomon Eshete, Head of the Department for the Inspection and Registration of Cultural Heritage of Ethiopia, was elected Chairperson. The representatives of Azerbaijan, China, Greece and Lebanon were elected Vice-Chairpersons. Sybil Campbell, Ambassador of Jamaica, was named Rapporteur.

IV. Adoption of the agenda

5. The provisional agenda proposed by the secretariat was adopted after the addition of a final item, entitled "Other matters".

V. Bilateral negotiations concerning matters of return and restitution

6. The discussions began with the two pending cases before the Committee: the case of the Parthenon marbles (Greece/United Kingdom of Great Britain and Northern Ireland) and that of the Boguskoy sphinx (Turkey/Germany). UNESCO had first received the request for the restitution of the Parthenon marbles, which are in the British Museum, in September 1984. In October 1985, the United Kingdom had replied in the negative to the request. At its fifth session, in April 1987, the Committee had been informed of the project to build a new museum in Athens to house the

Parthenon marbles on their return to Greece. At subsequent meetings, held in 1989, 1991, 1994, 1996 and 1999, the Committee had adopted recommendations calling for an amicable settlement of the dispute.

7. Developments since the most recent meeting of the Committee, in January 1999, included the convening of a two-day conference, in December 1999, at the British Museum on the conservation of marble sculptures, attended by both British and Greek experts, as well as the appearance before the House of Commons Select Committee on Culture, Media and Sport of the United Kingdom, at its invitation, of the Greek Foreign Minister, Mr. Papandreou. With the agreement of both delegations, a recommendation (No. 1) was adopted to further develop collaboration in the exchange of expert information on the marbles and to invite the Director-General of UNESCO to take new initiatives to promote discussions between the two member States with the intention of holding a first meeting in 2001.

8. With respect to the request of Turkey for the restitution of the Boguskoy sphinx, introduced against the then German Democratic Republic in 1986 and currently addressed to Germany, the expert from Turkey referred to prior bilateral negotiations and the renewed request of Turkey for negotiations, dated 8 September 2000, which had been conveyed to Germany. The Committee took note that both sides had agreed that further bilateral discussions would be held during 2001 (Recommendation No. 2). During the discussions, it was pointed out that the procedure before the Intergovernmental Committee required the completion by Germany of the Standard Form concerning Requests for Return or Restitution, designed to provide the Intergovernmental Committee with all of the necessary information for consideration of requests for return. The secretariat was invited to take the necessary action to remind States of their duty in this respect.

VI. Object-ID: identification of objects to combat the traffic in cultural property

9. The General Conference of UNESCO, at its 30th session held in November 1999, recommended to all member States the use and promotion of Object-ID, following its endorsement by the Committee at its tenth session as the international core documentation standard for recording minimal data on movable cultural property and for identifying cultural objects with a view to combating illicit trafficking in cultural property. Members of the Committee reiterated the fundamental importance of the standard and the need for the dissemination of information on cultural property in order to assist in its recovery. Object-ID is also compatible with other existing databases, as well as with the CRIGEN-ART form used by the International Criminal Police Organization (Interpol) for the collection of information on stolen cultural property. The Director-General of UNESCO was invited to promote the further dissemination and use of Object-ID, in particular by use of the Internet (Recommendation No. 3).

VII. The launch of an international code of ethics for dealers

10. In accordance with Recommendation No. 3 adopted by the Committee at its tenth session, the International Code of Ethics for Dealers in Cultural Property was adopted by the General Conference of UNESCO at its 30th session as an international voluntary standard for professionals that is promoted by the Organization following the principles established by the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (hereinafter referred to as the 1970 UNESCO Convention). A publication containing the text of the Code and an explanatory brochure have been produced by the secretariat. The Code was officially launched and the publication on the Code presented to the general public at the celebration of the thirtieth anniversary of the 1970 UNESCO Convention, on 15 November 2000 (see sect. XIII below). Member States of UNESCO are encouraged to provide the secretariat with lists of dealers in their respective countries in order to facilitate the dissemination of the Code, as well as request additional copies of the publication from the secretariat for national promotion of the Code. Other proposals are: the creation of a web site for the publication of the Code of Ethics, inscribed with the UNESCO logo; the establishment of a regularly updated list of dealers that adhere to the Code; and that registrations on this list should be accompanied by adequate endorsement issued by the appropriate national authorities who would ensure that eventual violations of the Code would result in the removal of

the dealer from the list (Recommendation No. 3). The secretariat will give further consideration to the possibility of the Organization establishing such a list and, in particular, its legal aspects and consequences.

VIII. Effective creation of a fund to support member States: appeal of the Director-General

11. The International Fund for the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation was created by the UNESCO General Conference in November 1999, pursuant to Recommendation No. 6 adopted by the Committee at its tenth session, and officially launched on the occasion of the thirtieth anniversary of the 1970 UNESCO Convention. The Fund will be financed by voluntary contributions from States and private partners, and is intended to finance verification by experts of cultural objects in their countries of location, the transportation of such objects, the insurance of artefacts, and the setting up of suitable exhibition facilities and training of museum professionals in the countries of origin. National surveys should be carried out in order to assess the international assistance required for training and strengthening museum structures in order to qualify for international support through the Fund. The appeal of the Director-General for contribution to the International Fund for the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation was presented to the Committee. Recommendation No. 4 calls for an effective promotion strategy concerning the International Fund, while Recommendation No. 3 supports the publication of information regarding voluntary contributions to the Fund. In pursuance of these recommendations, the secretariat is preparing a publicity pack as a means of seeking donations to the Fund.

IX. Effective strategy for the promotion of UNESCO instruments in the fight against illicit traffic in cultural property

12. In order to efficiently use the International Fund, the International Code of Ethics for Dealers in Cultural Property and the standard Object-ID, which all represent voluntary instruments in the fight against illicit trafficking in cultural property, an effective promotion strategy is required. A strong case was made for the definition and implementation of a strategy for the promotion, in particular, of the Code of Ethics for Dealers in Cultural Property by assessing all possible links between, on the one hand, the private sector and, on the other hand, the interests of member States. The creation of a working group of experts in programme design and communications to develop the proposed strategy was suggested. Other possible means include diffusion of information through the media and the Internet, and increased financial and staff support for the secretariat (Recommendation No. 4).

X. Cultural property and the Internet

13. The issue of sales of cultural objects on the Internet was discussed and consideration was given to the serious problem of cultural property being illicitly sold through this means, and the need for States and international organizations to address it, among other means, by the adoption of international legislation in the field. A copy of the law of one member State of the Committee, which prohibits auctioning of cultural objects on the Internet, was circulated for information.

XI. Illicit trafficking: endangered heritage

14. As in the previous two sessions of the Committee, the problem of illicit trafficking in cultural property in Iraq was raised and activities outlined by the secretariat for the safeguarding of its cultural heritage. Although in 1991 the secretariat had been notified of the loss of about 3,000 to 4,000 cultural objects from Iraq, the information provided was not sufficiently detailed to trace the missing objects in the art market. Small objects, such as coins and pins, are difficult to identify and very easy to transport because of their size. In the case of large and identifiable objects (such as the wall panels from the Sennacherib Palace Site Museum at Nineveh, discovered on the market by an archaeologist who had previously photographed them in situ), the holder of the objects can rarely be traced since there is no legal obligation on the person showing photographs of objects on sale to disclose their source. In this regard, the voluntary adoption of the Code of Ethics by dealers in cultural property is intended to counter the problem of secrecy prevailing in the art market and to

close legal loopholes. It was pointed out that the poor economic conditions of the Iraqi population favoured illicit excavations and illicit trafficking in cultural objects. The usefulness of export permits in this context was also discussed. The Director-General was invited to pursue his efforts in favour of the Iraqi cultural heritage and to take all necessary measures to search for cultural and archaeological objects illicitly exported from Iraq and to return them to their country of origin (Recommendation No. 6).

15. Concern was also expressed concerning the protection of the cultural heritage of Pakistan, in particular with regard to the exhibition of illicitly excavated objects from the region of Baluchistan. The Director-General was invited to provide technical and financial support for the protection of archaeological sites in Baluchistan (Recommendation No. 5).

16. Throughout the meeting, the Committee was kept abreast by the secretariat of the threatened destruction of the pre-Islamic statues by the Taliban in Afghanistan and of the efforts being made to save them. Many experts expressed their indignation and concern and supported the Director-General's actions to try to rescue them. The Director-General was invited to examine the possibility of a joint project by Pakistan and UNESCO for surveying potential markets in Pakistan where stolen antiquities could be made available for sale and for making efforts to secure them for return to Afghanistan.

XII. Report of the meeting of experts on the settlement of disputes concerning cultural property displaced during the Second World War

17. The Intergovernmental Committee was briefed by the chairman of the meeting of experts on the settlement of disputes concerning cultural property displaced during the Second World War, held at UNESCO headquarters from 29 to 31 May 2000, and on the progress made in the consideration of principles designed as guidance for States in negotiations on these matters. A second meeting of experts is planned for 2002 to complete the work, in accordance with Recommendation No. 7 adopted by the Intergovernmental Committee at its tenth session.

XIII. Thirtieth anniversary of the 1970 UNESCO Convention

18. On the occasion of the thirtieth anniversary of the 1970 UNESCO Convention, a seminar was organized at UNESCO headquarters on 15 November 2000, which brought together eminent researchers in the field of law and archaeology, the heads of the Italian Art Theft Police and the French Stolen Art Items Central Office, the head of the legal department of the Swiss Federal Office of Culture, the Secretary-General of the International Council of Museums and the coordinator of the project "Object-ID". The programme featured presentations on the current problem of illicit traffic, the legal response given by the 1970 UNESCO Convention and the 1995 International Institute for the Unification of Private Law (UNIDROIT) Convention on Stolen or Illegally Exported Cultural Property, as well as practical measures to implement the conventions, such as the establishment of inventories and the training of police services. The day closed with an official ceremony in the presence of senior governmental representatives and ambassadors of UNESCO member States, launching several important new publications on the conventions: a brochure on the International Code of Ethics for Dealers in Cultural Property (available on the UNESCO web site); an information kit featuring postcards of stolen cultural objects and describing the conventions and UNESCO activities in the fight against illicit trafficking in cultural property (also available on the UNESCO web site); an article-by-article commentary on the 1970 UNESCO Convention in English; a handbook for the implementation of the 1970 Convention in French (also available in English, Chinese and Spanish); and a commentary on the 1995 UNIDROIT Convention in French (also available in English). The event was widely reported in the press.

XIV. Notices of stolen cultural property

19. The Intergovernmental Committee noted that the secretariat would cease to issue notices written on paper of stolen cultural property owing to lack of resources and the current availability of electronic means for the dissemination of information. The organizations that should be contacted in the case of theft and illicit export of cultural property for the purpose of the diffusion of information include

Interpol, as well as commercial databases, such as Invaluable/Trace and the Art Loss Register.

XV. Presentations and documentaries on illicit trafficking and the restitution of works of art

20. The Intergovernmental Committee heard presentations concerning the situation of the cultural heritage in various member States of the Committee, namely, Angola, Azerbaijan, China, Ethiopia, Guatemala, Iran (Islamic Republic of), Lebanon, Pakistan and the Republic of Korea, and the observer States of Canada, Indonesia, Iraq, Rwanda, Thailand and the United States of America also gave information. Items of major interest were: a report on successful bilateral negotiations for the return of cultural property between two observer States; the establishment in 2000 of an Authority for Research and Conservation of Cultural Heritage in one member State; new legal provisions enacted since 1992 in one observer State; and detailed information given on the location of cultural property of particular significance for a number of States, as well as measures taken to request its return. Presentations were also made by representatives of the Italian Art Theft Police on the Italian computerized information system on stolen cultural property and international police cooperation, the representative of Interpol on its activities to curb illicit trafficking in cultural property, and the representative of UNIDROIT on the 1995 UNIDROIT Convention. The representative of UNESCO reported the return of cultural property to Cambodia.

21. The documentary "Beyond Angkor, Endangered Treasures in Cambodia", produced by Pierre Stine with the collaboration of Claude Jacques (co-production Gédéon Programmes/France2) was screened. A short video illustrated the restitution by Thailand to Cambodia of 117 cultural objects originating from Banteay Chmar and 5 other items also stolen from Cambodia and confiscated in Thailand.

XVI. Date and place of the twelfth session of the Committee

22. An invitation extended by the Ethiopian Minister of Culture to host the twelfth session of the Intergovernmental Committee in 2003 was supported by a number of delegates. The secretariat will explore the possibility of holding the twelfth session of the Committee in Ethiopia, with due regard to the representation of a sufficient number of member States to reach the required quorum.

XVII. Adoption of the recommendations

23. The Committee adopted 10 recommendations included in the report of the meeting which will be circulated. Owing to lack of time, two draft recommendations could not be considered or sufficiently examined to reach a final agreement. These concerned the progress made by the working group of experts on the settlement of disputes concerning cultural property displaced during the Second World War and the invitation addressed to member States to adopt legislation prohibiting the sales of cultural objects on the Internet.

XVIII. Closure of the session

24. The eleventh session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation was officially closed with a ceremony featuring addresses by the President of the National Assembly of Cambodia, Prince Norodom Ranariddh, the representative of the Director-General, Lyndel Prott, and the Chairman of the Intergovernmental Committee, Solomon Eshete. At the succeeding press conference, the results of the meeting were presented to the Cambodian press corps.

Annex

Recommendations

Recommendation No. 1

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,

Expressing its continuing concern for the resolution of the issue of the Parthenon Marbles,

Noting the efforts of the Director–General to undertake initiatives in order to contribute to the promotion of negotiations between the two member States,

1. *Takes note* that an international conference was held in London (British Museum, November 1999) concerning the cleaning of the Parthenon sculptures in the British Museum in 1938, in which, among others, experts of the British Museum and of the Greek Ministry of Culture participated and whose results shall be fully published;

2. *Invites* the two member States to continue and further develop their cooperation and collaboration in the exchange of expert information in the areas of research, conservation and museology relating to the Parthenon sculptures;

3. *Takes note* that the recent official positions of the two member States were delineated and published (July 2000) in the report, entitled "Cultural property: return and illicit trade", of the United Kingdom House of Commons Select Committee on Culture, Media and Sport;

4. *Invites* the Director-General to undertake new initiatives for the purpose of promoting discussions between the two member States on a pre-specified agenda investigating a closer meeting of minds with the intention of holding a first meeting in 2001;

5. *Further invites* the Director-General to report back to the Committee at its twelfth session on the result of these discussions.

Recommendation No. 2

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,

Recalling the request of Turkey for the sphinx of Boguskoy which is currently on display at the Berlin Museum,

Noting the legal and cultural arguments which have been made by both States concerned over a number of years,

Recalling the previous Recommendations Nos. 2 adopted by the Committee on this question at its sixth and tenth sessions,

Aware of continuing concern of Turkey for the resolution of the issue of the sphinx,

Noting that the 7,400 cuneiform tablets which were part of the original request of 1987 of Turkey to the German Democratic Republic were returned,

Expresses its hope that the pending request of Turkey with regard to the sphinx will be solved through bilateral meetings,

1. *Takes note* of the fact that bilateral contacts have taken place on this matter;

2. *Invites* both parties to continue these meetings with a view to bringing this issue to a mutually acceptable solution;

3. *Invites* the Director-General to continue his good offices to resolve this issue.

Recommendation No. 3

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,

Considering that the country of origin's enhancement of its movable cultural heritage, and its inclusion within the framework of development strategies, represent an important asset for the promotion of inter-cultural dialogue,

Recalling the duties assigned by the Statutes, in particular article 4, in respect of bilateral negotiations and cooperation to facilitate the restitution of cultural property to its countries of origin and prevent illicit trafficking,

Considering that Resolution No. 27 of the UNESCO General Conference commits the Organization to:

(a) Promoting the adoption of the International Code of Ethics for Dealers in Cultural Property and Object-ID;

(b) Supporting links among various databases related to theft of cultural property and encouraging the States with most experience in those areas to share their expertise with other States;

1. *Invites* the Director-General of UNESCO to examine the possibilities of financing within the budget of UNESCO with a view to:

(a) Promoting the dissemination of Object-ID (accompanied by the UNESCO logo), along with the various additional tools (e.g., multilingual glossaries), and posting this standard on the UNESCO Internet web site;

(b) Collaborating more closely with member States that are more experienced in inventory systems;

(c) Ensuring that the software is compatible with the tools that are currently available and that they can be downloaded at no cost from the web sites;

2. *Recommends* that:

(a) A web site be created for the publication of the Code of Ethics inscribed with the UNESCO logo as a standard for professionals that is promoted by the Organization and the creation of a regularly updated list of dealers that adhere to the Code, along with information regarding voluntary contributions that have been made to the Committee Fund, if applicable;

(b) Registrations be accompanied by adequate endorsement issued by the appropriate national authorities who will ensure that eventual violations of the Code will result in the removal of the dealer from the list.

Recommendation No. 4

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,

Considering that the country of origin's enhancement of its movable cultural heritage, and its inclusion within the framework of development strategies, represent an important asset for the promotion of inter-cultural dialogue,

Recalling the duties assigned by the Statutes, in particular article 4, in respect of bilateral negotiations and cooperation to facilitate the restitution of cultural property to its countries of origin and prevent illicit trafficking,

Considering that Resolution No. 27 of the UNESCO General Conference commits the Organization to:

(a) Promoting the adoption of the International Code of Ethics for Dealers in Cultural Property and Object-ID;

(b) Supporting links among various databases related to theft of cultural property and encouraging the States with most experience in those areas to share their expertise with other States;

(c) Granting additional resources to the Committee in order to enable it to fulfil its duties and provide appropriate support to the secretariat;

Considering that, under the same Resolution, the General Conference has created the International Fund financed by voluntary contributions in order to support projects submitted to the Committee, granting priority to training activities and the reinforcement of museum systems in developing countries,

Also considering that the Committee now has the necessary mechanisms to establish a long-term strategy, but that these mechanisms are only voluntary,

Further considering that only an effective promotion policy using especially all of the traditional means of communication can reinforce this strategy, and that this action implies additional human and financial resources from the regular budget of UNESCO,

Given that the voluntary aspect of contributions to the Fund may considerably limit the scope of this mechanism,

Invites the Director-General of UNESCO to define and implement a strategy for the effective

promotion of the Fund by examining the possibility, within budgetary resources, to place financial and human resources at the disposal of the secretariat of the Committee from the regular UNESCO budget for the definition and launching of the strategy.

Recommendation No. 5

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,

Concerned by the constant threat to tangible cultural heritage located throughout Pakistan which is subject to illegal excavations, including the recent ones which occurred in Mehrgart-Baluchistan and which date to prehistoric times,

Noting the desire of Pakistan to launch a campaign with the aim of raising the awareness of the local population of the value and importance of such sites, particularly those with prehistoric remains in Baluchistan, in order to get the local population actively involved in safeguarding these sites,

Aware that some items illegally excavated from areas along the Indus river in Baluchistan have been recently exhibited in another member State,

1. *Invites* UNESCO and its sister agencies to provide technical expertise and financial support for this purpose and for protection of archaeological sites;

2. *Recommends* that member States be asked to prohibit the exhibition and sale of artefacts illegally acquired from other States.

Recommendation No. 6

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,

Reiterating Resolution No. 7 of the ninth session of the Committee in 1996 and Resolution No. 8 of the tenth session of the Committee in 1999,

Calls on the Director-General of UNESCO to take all necessary measures to search for cultural and archaeological objects illicitly exported from Iraq and to return them to their country of origin.

Recommendation No. 7

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,

Aware that forged cultural objects are very frequently illicitly trafficked,

Noting that the failure to recognize forged cultural objects leads to a distorted perception of the history of nations,

Recommends that member States take effective measures to prevent the trade in forged cultural objects that are not clearly identified as replicas.

Recommendation No. 8

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,

Expressing its concern at the increased number of cases of illicit trafficking brought to its attention,

Invites Member States to:

(a) Ensure that officials of customs and border control services are fully trained in their duties to apply the rules of the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property of 1970;

(b) Report any cases of illicit import, export or transfer of ownership of cultural property to the appropriate authorities in the State party concerned.

Recommendation No. 9

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,

Concerned by the reports of major losses of movable cultural heritage from Afghanistan,

Noting the offer of Pakistan to survey potential markets in Pakistan where the stolen antiquities could be available for sale and in the context that most such items have so far proved to be forgeries,

Invites UNESCO to examine the possibility of a joint project by Pakistan and UNESCO with the possible collaboration of other organizations for surveying potential markets in Pakistan where stolen antiquities could be available for sale and making efforts to secure the genuine and authentic ones for return to Afghanistan.

Recommendation No. 10

The Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,

Appealing to UNESCO member States to adhere to the Convention of 1970,

Noting with regret that some States have not proceeded to complete an inventory of their cultural heritage,

Recalling that Recommendation No. 9 of the tenth session of the Committee supports the organization of awareness-raising and training seminars, as well as conferences especially set up to target the youth of the various African regions,

Invites UNESCO to support member States according to the means available for the inventory of their cultural heritage in order to guarantee, on the one hand, better conservation at the national level and, on the other hand, better dissemination of information on this cultural property in the event of theft.